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WE HEREBY AWARD the gold cup for the most impudent public utterance for the current month to Representative Albert Johnson of Washington. He won all three legs to the trophy by his bullyragging lecture to aliens threatening them with refusal of citizenship and even deportation for demonstrations in favor of Sacco and Vanzetti. Mr. Johnson has long been known as an extreme immigration restrictionist. He is entitled to his opinions in that regard, but he is not entitled to instruct aliens in this country how to conduct themselves, especially when he distorts law and fact in so doing. An alien has the same right of criticism as a citizen, and is likely to make a poor American unless he exercises it. A peaceable protest whether by strike or otherwise, in behalf of the lives of two fellow humans whom he believes to be innocent, does not make an alien liable to deportation, Mr. Johnson to the contrary notwithstanding, nor is it what the latter describes as an "anti-government demonstration." Mr. Johnson is also wrong when he says that had Sacco and Vanzetti been murdered by Americans our government would have had to pay Italy large damages. Did he ever hear of the New Orleans lynchings for which we paid Italy exactly nothing? Finally he says he hopes for legislation shortly making citizenship revocable. Maybe. The possibility for fool laws is always pretty nearly unlimited, but we doubt if a majority in Congress can be obtained for any such welching shell game for all of Mr. Johnson's willing and expert assistance.

FROM A PROFESSOR in a Southern university, whose forbears were American through and through, comes the following illuminating letter:

I wish to say also that some of us here are much bewildered by the turn of events in Massachusetts. I, for one, dislike extremely to be forced definitely to doubt the honesty of public officials and college presidents, but unless I discredit my reason and the only near-complete and straightforward statement of the case which has been available, namely, Frankfurter's "Case of Sacco and Vanzetti," I am forced to believe that there is something extremely rotten in the State of Massachusetts. The frequency of mob and legal murders in the South has not dulled my interest in such affairs. It is a great pity that the Governor of Massachusetts has not sense enough to see that, in a case where there is real doubt, the line of action which he has taken is provoking honest people seriously to doubt the possibility of justice from our government under its present organization.

This from a man in cloistered shades who has nothing of the "red" about him. He is, we are sure, but typical of untold Americans who will feel similarly if vengeance has its ruthless way in Massachusetts.

ONE TRAGI-COMIC INCIDENT marked the tenseness of the week which saw armed policemen at every turn in New York on the look-out for bomb-throwers. Two of them saw a man running with a revolver in his hand. At once they suspected a dangerous "red." They ran him down, leaped upon him, knocked him out, and beat him up in most approved police style, fracturing his skull with neatness and dispatch, before the man could give any account of himself, or explain what he was about. Then, having rendered him senseless, they proceeded to search him and found—not anarchist literature but a police shield pinned to his vest! He was a plain-clothes policeman who was himself chasing a man who, he thought, was acting suspiciously. The case is highly illuminating of American police methods. Beat your man up first and examine him afterward. Well, this time the police got a taste of it themselves and not as usual some citizen in full exercise of his rights of peaceful picketing, or striking, or of peaceable assembly. We wish with all our hearts that the unnecessary suffering of their comrade might bring about in the police of the metropolis a new method and a wiser one of dealing with "suspicious" men.

NOW IS THE TIME for President Coolidge to make clear, emphatically and decisively, the views of the Administration on our naval policy. With the sad failure at Geneva still fresh in mind, the policy adopted by the United States will be of utmost significance and far-reaching effect with respect to future naval competition. So far, however, news reports from Rapid City have been anything but reassuring. Certain reports, it is true, give the impression that Mr. Coolidge is not in favor of a cruiser building race with Great Britain. But other despatches, since the arrival of Secretary Wilbur and Senator Fess at the summer White House, say that before Congress convenes a program will be announced that will contemplate the building of twelve cruisers of the 10,000-ton type, mounting eight-inch guns,

in addition to the eight already authorized, or twenty in all. Such a program would be nothing less than a bold challenge to Great Britain and Japan. Even at the Geneva Conference we asked for only twelve of these big fighters—although the blustering Admiral Jones, in a wild, flag-waving speech, threatened to build twenty if no agreement was reached. Is his absurd proposal to be adopted by the Administration? Are the admirals to be conceded this victory? If not, now is the time for President Coolidge to prove his consistency and thwart this propaganda for a "big navy." Regardless of who was to blame for the Geneva fiasco, Great Britain and Japan should be reassured not only of our sincerity in proposing a limitation of naval armaments but also of our refusal to adopt the big-navy men's policy of "rounding out our fleet" to meet what they consider an over-expanded British Navy. Now is the time to show that if the admirals would not be held in check at Geneva, they may at least be made to listen to reason at home.

ELBERT H. GARY, of whose career we shall write at length later, was something more than a person—he was a symbol. The uncrowned king of big business, and the chief apostle of business optimism, he never made a speech without assuring his listeners that good times prevailed and better ones were just at hand; he had the faith of a Coué and the power to make himself believe of a Christian Scientist, rolled into one. No evil thought, much less a discouraging one, ever entered his head—or left it. So his annual addresses to the Iron and Steel Institute were always the rosy barometers of a happy trade. If business went bad, contrary to his prophecy, why look ahead, be cheerful, don't knock, be a Gold Dust Twin, and all will come out right. It invariably did—for the Steel Trust, while Mr. Gary was its able and revered head. Wall Street and big business everywhere looked up to him as to a demigod, especially after he beat the steel workers' strike and when he announced that a twelve-hour day and a seven-day week for workers were part of God's holy alliance and indispensable to the safety and prosperity of the greatest American corporation. Later he lost his long day and his seven-day week, but his reputation and the Steel Trust still survived. So did to the end the pontifical character of Mr. Gary's utterances and their joy-giving qualities to all who toil for great wealth in the marts of trade.

IRELAND'S POLITICAL CLOUDS have by no means rolled away. We print in our International Relations Section this week an article showing why the Free State Government has become increasingly unpopular. Directly in line with this comes the news that in spite of their opposition to the oath of allegiance De Valera and his Republican associates have taken their seats in the Dail—at the same time taking the oath—as the quickest way of turning the present Government out, and presumably repealing the measure which makes the oath imperative. A coalition between the De Valera party, the Laborites, and the National League group headed by Captain Redmond may result in enough votes to throw out the Government, and install Tom Johnson, the Labor Leader, as President. There remains outside the parliament only the extreme Sinn Féin Party, with five members, and since they have had to witness the spectacle of the De Valeraites taking the oath of allegiance to King George, their hostility will doubtless be directed henceforth not only at the Free State but at the

Fianna Fail. Only if De Valera succeeds in severing Republican Ireland from Great Britain will those at the extreme left be satisfied.

A NOBLE GHOST from the past though happily he is to this day in the flesh still noble though a ghost—"thus Henry W. Nevins, writing in 1925 about John Dillon. If he was a ghost then, he was still more of a ghost when he died the other day. But he was a great and conspicuous figure in the times of Parnell and Gladstone, when a single slashing attack of his could wreck a bill in Commons, and his voice carried far in the United States which he often visited in order to arouse public opinion on Ireland's wrongs. He knew what it was to be called a liar and to pass the lie in public debate, to be present when men were ruthlessly shot down by British police, and how it felt to be arrested and imprisoned. For a long time he stood with Parnell and then he broke with him. During the Boer War he was unqualifiedly against his country and cheerfully risked mob violence to declare his sympathy with the Boers and his reprobation of England's conduct of the struggle. On the whole, Nevins was right when he declared of Dillon that "no one has played a finer part in upholding the cause of Irish freedom—and of freedom for other countries than Ireland—in the past." But the tide of events long ago left John Dillon high and dry, a rather pathetic figure. If he lived to see a freedom for Ireland neither he nor Parnell in their prime could hope for, the Fenianism which he led is merely a memory, as much so as the Phenix Park murders and those great fights for the little home rule for which Gladstone battled and for which the Great Commoner was shunned and hated. It is to be hoped, however, that the Ireland of today will cherish John Dillon's memory as it should.

A FIGHT FOR the "open door" in news dissemination is to be made at the International Press Conference opening at Geneva under the League of Nations on August 24. The meeting will be attended by representatives from both independent and "official" news agencies, from government propaganda bureaus, and from individual newspapers. At a conference at Geneva last year of representatives of news agencies Roy W. Howard, in behalf of the United Press, obtained the passage of a resolution opposing the granting of special or exclusive privileges in connection with the receipt or transmission of government news. It is understood that an effort will be made at the present meeting, where the opponents of the "open door" predominate, to make a contrary or modifying declaration. In this connection it is important to recall that since last year the Associated Press has lined up with the "official" news agencies such as Reuter's, Havas, and Wolff. At a secret meeting of these agencies in Warsaw recently, as noted in our issue of June 15 (page 656), the Associated Press applied for and was received into membership. In these days of doctored news and official propaganda it is of the utmost importance that American newspapers shall not be dependent upon news-gathering organizations which receive government favors and thus are obligated to or controlled by such powers.

WRITING ON THE RELATIONS of the United States and Germany in the *Hamburger Nachrichten*, after a visit to this country, Professor G. A. Rein of the University

of Hamburg describes with great feeling the hostile anti-German movies he everywhere encountered here. They still portray the Germans as the essence of "cowardice, treachery, lying, brutality, coarseness, dishonor, and criminality." As long as this propaganda lasts, he thinks, there can be no talk of any real peace between the two countries. Indeed, Professor Rein declares that the embers of hatred between Germany and her former enemies still smoulder everywhere and are kept alive by this revival of war-hatreds portrayed in the films. He admits that the idea of reprisals persists with him and that he thinks it would only be just and consequential if the Germans should put on films savagely portraying American weaknesses. Only in this way, he feels, can public attention in America be aroused to the injustices of the American movies. We doubt if he is right. Much as we deplore the movies which he denounces, we believe that reprisals would only increase the ill-will on both sides. Hate, unfortunately, only creates more hate. But what pictures of us hostile producers could make!

IF TEACHERS can ever be envied, envy must go to Paul Rauschenbush, John M. Gaus, Laurence J. Saunders, and others recently appointed to positions on the staff of the new Experimental College of the University of Wisconsin. We have already commented on this institution, designed by Alexander Meiklejohn and now to be headed by him, but we are once more excited by a statement of its aims given by Glenn Frank, president of the University of Wisconsin. There is to be very little lecturing and reciting; the groups will be small and informal; the procedure will be largely by discussion in which both instructors and students take part. And there will be no "subjects" to "take."

That is to say, instead of studying the various sciences, economics, history, literature, psychology, and the like as if they were separate and distinct things the students will, figuratively speaking, put coherent episodes of civilization upon the table, dissect them, see what forces animated them. . . . In this process the students will reach out into all the separate fields of subject-matter usually taught in colleges for whatever light they need to have thrown upon the episode in question in order to understand it.

This will be fun, though it will also be hard, and the temptations to talk rather than think will be always in the way.

THE DEATH OF MRS. GORDON NORRIE removes one of the most public-spirited and progressive women in New York City. Of high social position and liberal means, her heart was attuned to every call from those who believe that the battle for liberty today is a struggle for the retention of the rights for which the founders of the republic stood. Her house, her means, her time were most generously given to all liberal causes. But two movements, those of the Progressive Party and the prohibitionists, appealed to her most. Were all prohibitionists of Mrs. Norrie's sincerity and principle, the cause of temperance would stand very differently in this country. As for the organization of Progressive Women in New York City, Mrs. Norrie was the moving spirit in it from the inception of the La Follette campaign to the final relinquishing of the work. Her judgment, her sanity, her wisdom, made her leadership of profound value to the campaign. For *The Nation* Mrs. Norrie's death is a severe blow because she was highly valued and beloved member of its board of directors.

What Happened August 2?

BY what is perhaps merely an extraordinary coincidence it now appears that there may have been some connection between President Coolidge's announcement of his unwillingness to run again for President and Governor Fuller's decision in regard to Sacco and Vanzetti. We shall let the great New York dailies tell the story. On August 3 the *Times* had this to say:

Nicola Sacco and Bartolomeo Vanzetti will not die in the electric chair on the date set. Neither will they be pardoned. Further reprieve pending steps by the Massachusetts legislature looking to a new trial was indicated at the State House today as the solution of the historic case of the Italian radicals, which Governor Fuller will place before the Executive Council when it meets tomorrow.

New and overwhelming eleventh-hour evidence is the only factor likely to change the plan for a further reprieve and an appeal to the legislature for a new trial. [The italics are ours.]

The New York *Times* had not been a strong champion of the two Italian radicals in their fight for life. Neither—to put it mildly—had the *Herald Tribune*; yet the latter printed substantially the same prediction on August 3, and added:

The Governor's decision is already made, and he seemed to be in a comfortable frame of mind at the executive offices this afternoon. This encouraged supporters of Sacco and Vanzetti, who argued that it would be difficult for a man to smile who had just decided to send two men to their death.

The New York *World* published the same sort of account.

No one connected with the case will ever forget the dreadful hours of Wednesday, August 3. With a prophecy that the Governor would order a reprieve or a pardon before their eyes, anxious watchers saw the hours go by with no word from His Excellency. And at 11:30 at night, when the word finally came, with what sinking of the heart was it heard and pondered. The papers of August 4 carried it in streamers along the front page: "Sacco and Vanzetti Doomed to Die"—"Sacco and Vanzetti Must Die, Says Fuller"—"Sacco and Vanzetti Guilty, Says Fuller, and Must Die"—thus the *Herald Tribune*, the *World*, the *Times*. And on August 5, the *Times* added an interesting item to the record:

The decision, announced late last night, stirred certain important men in Boston to private discussion of the case. These men, it may be stated on excellent authority, were taken into the Governor's confidence. They are declaring emphatically tonight that the Governor gave them every indication that he would pardon Sacco and Vanzetti or extend clemency to them. One of these men is a former high State officer. . . . The apparent last-minute finding of Governor Fuller came as a shock to those who thought they were aware of his intentions. They put the change in the Governor's decision as apparently made between 3 P. M. Tuesday and that midnight.

Between 3 P. M. and midnight Tuesday President Coolidge uttered the memorable words: "I do not choose to run for President in nineteen twenty-eight." Could it be that Governor Fuller changed his mind upon learning the President's decision? We hesitate to believe anything so dreadful could be so, but the public is entitled to know the curious coincidence in regard to the two sets of facts.

"A Decent Respect to the Opinions of Mankind"

EVERY day that has passed since Governor Fuller's decision and the report of the Lowell committee has seen a tremendous outpouring of protests from all the world, demanding that Sacco and Vanzetti be not executed. As we pointed out last week, nothing like it has ever come out of the five continents, and it does not wane but waxes. More than that, every shade of public opinion is represented. Ramsay MacDonald as the spokesman for all of British Labor has publicly said: "All friends of America pray that there will be no execution." At the other extreme the conservative London *Times* declares that the reprieve "again must intensify feeling widely prevalent all over the world, whether the condemned men are guilty or not, that the prolonged suffering which they have undergone during seven years under the sentence of death makes them fit objects for pity." Nothing more astounding than the unanimity of the ultra-reactionary Paris press on behalf of this pair of anarchists has come to our knowledge in the last thirty years. Elsewhere we print a collection of excerpts from the European press. If it was ever true that contemporary foreign opinion is often the opinion of history in the land affected this would seem to promise a case in point.

Why should not Governor Fuller pay "a decent respect to the opinions of mankind" and commute or pardon these men? We ourselves do not waver in our belief in the existence of so reasonable a doubt as to their guilt as to make their proposed execution itself partake of the nature of a monstrous crime. But for the sake of the argument we shall assume that they are guilty of a particularly cold-blooded highway robbery accompanied by cowardly and wicked murder. We still feel that Governor Fuller should give heed to those at home and abroad who declare that these men have already paid more than an adequate price in the torture to which they and their families have been subjected. We are aware, of course, of the ignorant and thoughtless multitudes of well-to-do citizens all around us who are saying: "Let those damned foreigners pay attention to their own affairs. We can take care of our criminals and will be thankful if the press of Europe will kindly mind its own business." Unfortunately for those who speak thus, appeals for justice refuse to stay within the boundaries of any one nation. We are quite aware that justice is sometimes blind in England, and there are doubtless grave miscarriages in the courts of France. We know that the places of exile and the prisons of Italy are full of innocent men, punished solely for their opinions, by the very despot who has appealed for Sacco and Vanzetti. We are aware that every nation is eager to see the motes in the eyes of others and to overlook its own beams. None the less we still ask for a "decent respect" to this unparalleled outpouring of foreign sentiment.

Americans should be the last to protest against foreign opinions upon a domestic affair. What country was it that sent a warship to bring to this country Louis Kossuth, the man who was trying to overthrow the government of his native land by force of arms? What country was it that welcomed Garibaldi? If it be declared that these are not similar cases because those were political revolutionists, in what country was there a tremendous outpouring of public opinion in the Dreyfus case? Was not the American press

united in demanding a new trial for Dreyfus? Then there is an American citizen who still lives in the city of Washington, John Hays Hammond. He was legally condemned to death for his efforts to overthrow the government of the Transvaal. Was it not an outpouring of American, English and Continental sentiment which made possible the release from prison of this reprehensible American who set out to make private war upon a friendly country?—he, by the way, was one of the first to congratulate Governor Fuller on his decision against Sacco and Vanzetti! We could pile up cases, but these will suffice. The truth is that no nation is strong enough or righteous enough to defy an aroused international public sentiment.

The whole world knows that, whatever the guilt of Sacco and Vanzetti, the judicial system of Massachusetts has been irrevocably found guilty. It is guilty of a procedure that is a disgrace to a civilized state—that has made it possible for these men to live in jeopardy of the electric chair when only a single judge, and he accused by the Lowell committee of grave indiscretions, has passed upon the evidence in the case. But the indictment of the judicial system of Massachusetts carries further than that. No one can deny that these men have lain under the shadow of death for seven years. It makes no difference what percentage of the responsibility for those delays is due to the defense and what to the prosecution. The damning fact is there; everybody who has read of the case knows it. Every intelligent European is aware, moreover, that this could happen in no civilized country save the United States.

More than that, in Europe they can read as well as in America. They read, for instance, that a paper like the *Springfield Republican*, not an anarchist sheet but a journal esteemed for generations because of its liberalism and its ability, is urging the Governor of Massachusetts to commute the sentence of Sacco and Vanzetti to life imprisonment, not because it believes that they are innocent, but in order "that the discovery of new evidence later on might find the defendants still above ground and in a position to profit by a turn of events conceivably favorable to them." It dwells upon the "grave breach of official decorum" of which the Lowell committee found Judge Thayer guilty, and it declares that the accused men "should not be put to death unless the official conduct of the judge who presided at their trial was beyond rebuke, above reproach." It returns to the question of the bullet testimony and finds that Judge Thayer's charge gave a misleading color to that testimony, and that the Lowell committee in no wise cleared up this point. "One familiar with the testimony in this case," it concludes, "could raise point after point in the advisor committee's report, around which controversy might range. The committee has by no means quieted all doubts." When this editorial is read in Europe we venture to say overseas commentators will declare that the *Springfield Republican* furnishes conclusive evidence that the men should have new trial before a new judge in a different atmosphere in order that no man may question hereafter the fairness of the procedure. To Europeans accustomed to high standards in their judicial life, it seems incredible that there should be any judge worthy of the name who could consider judicial decorum to talk to his club associates about what

he had done and was going to to to the "anarchist bastards"—his words—who were on trial in his court.

Blindest of all are those citizens of that once-honored Bay State who say that these men must die to uphold the prestige and power of the courts. Those who are pressing for the death of these criminals must not delude themselves. The courts will not be exalted but degraded if these men are executed while a single reasonable doubt exists, as long as multitudes remain unconvinced that justice has been done. It will be everywhere believed that these men have been sacrificed to bolster up an indefensible legal procedure; that the State is not big enough and generous enough to admit that it has done wrong; that it is covering up its tracks by sacrificing a couple of penniless radical workmen. It will be held that its defiance of the world is the defiance of a conscious wrong-doing. Least of all will execution end the case. Everywhere in Boston clubs they are crying out: "Let us have it over with!" But the last thing that will end the case will be an act which seems to millions judicial murder. Done with it? Nothing in the world will so keep it alive as the execution of these two men. If Sacco and Vanzetti are executed, not only will execrations be heaped upon Massachusetts, but as long as any member of the present generation lives there will be voices to cry out against what people everywhere consider not merely an attack upon two men but upon a class.

Clemency after the findings of the court are upheld would have a tremendously soothing effect upon great masses of people. We are aware, of course, that the extremists are claiming that the reprieve was achieved by their agitation, and that they will take credit for any act of clemency to which Governor Fuller may be moved. But the bulk of the people would know perfectly well there was no truth in that. The Governor himself could make it perfectly clear in any memorandum which he might write. That risk is slight. Our domestic peace and good will are at stake—the prestige of America all over the world and the question whether the faith of multitudes in American courts and American governments shall or shall not be shaken.

Is justice ever injured when it is tempered with mercy? "Vengeance is mine, saith the Lord." States everywhere arrogate to themselves the right to do the very act of killing for which they condemn others, and they call it not vengeance but just retribution, a fair warning, a deterrent, an example. For no other purpose has this power been placed in the hands of the State by the people from whom alone the governors of any nation can obtain it. When that power is misused as, for instance, in those nations where it is being utilized to maintain a government in power, it becomes the grossest breach of trust and invariably leads to the undoing of those responsible. Let the American people believe that this power is being abused for the support of one class or group and there will be an immediate upheaval. Massachusetts today stands accused by millions of seeking vengeance, a bitter, vindictive vengeance; of using the force which it possesses to defy everywhere a public opinion never before equalled. Let it beware. Vengeance has taken its toll of humble men before this and they have lived eternally. So we appeal once more to the Governor of Massachusetts to grant that clemency which ministers and public men all over Europe are asking. No one can question that such an act would halt the American name and American righteousness wherever the news could travel.

The New South

Is the South turning away from violence—from mob punishment with the shotgun and the rope to the law? There are hopeful signs that it is in spite of the contrary influence of the Ku Klux Klan. For the first six months of this year, according to the records of the Tuskegee Normal and Industrial Institute, there was not a single lynching in Virginia, the Carolinas, Georgia, Florida, Alabama, Tennessee, or Kentucky. There were but nine lynchings in the entire South. The records of the National Association for the Advancement of Colored People differ slightly, attributing one lynching each to Florida and Tennessee, but the National Association agrees on a total of nine for the first six months of 1927 against its figure of thirty for the entire year 1926. The record is especially encouraging in regard to Georgia, South Carolina, and Tennessee, for the National Association recorded three lynchings each in Georgia and South Carolina in 1926 and two in Tennessee.

It is true that one must set against this decline in lynchings the outbreak in some parts of the South of another kind of violence—floggings. These are almost entirely the work of the Klan and are directed against a different kind of victim from that sought by lynching mobs. In recent years lynching in the South has been largely directed against Negro men for alleged offenses such as murder and rape. The Klan flogging mobs, on the other hand, have drawn no color line and have whipped women and youths as well as grown men. The reason has commonly been some comparatively slight offense, such as violation of the prohibition laws.

But floggings are not going unpunished either. Governor Hardman, of Georgia, let it be known when he took office a couple of months ago that he would not tolerate the Klan's lawless efforts to discipline its neighbors, and the State has proceeded so vigorously against floggers as to halt that pastime. In Alabama the outlook until lately seemed less hopeful, as the political grip of the Klan there is tight. Governor Graves is the grand cyclops of the Klan in Montgomery and Attorney General McCall is the kloneillor of the klavern. When, therefore, action was begun against the mob that whipped Mrs. Bertha A. Slay, knowing ones winked slyly and assumed the proceedings to be a bit of hypocritical window-dressing intended to placate the anti-flogging sentiment, and destined to end without punishment of the floggers. But thanks in no small degree to the vigorous campaign of Victor Hanson's *Birmingham News* and *Age-Herald* and his *Montgomery Advertiser*, a strong sentiment has been aroused in the State against flogging which the Governor and the Attorney General have either come to share or to which they have had to bow. The case against Mrs. Slay's attackers was pressed with vigor and ended in the punishment of three men and two women by fines of from \$100 to \$25. This, though light punishment, was a vindication of the law, and it was followed by far more drastic action against the floggers of a nineteen-year-old orphan, Jeff Calloway. Two of his attackers have been sentenced to jail terms of eight to ten years while five others have been fined and sent to prison for six months.

From time to time *The Nation* has had to use harsh words in regard to mob violence in the South. It takes extra pleasure, therefore, in pointing to signs of a better public sentiment.

World Opinion on Sacco and Vanzetti

NO MORE striking evidence of the international character of the Sacco and Vanzetti case can be presented than appears in the editorial columns of foreign newspapers and periodicals. Conservative and liberal journals alike unite in featuring the news of the case. By actual count twelve leading Paris newspapers on August 5 devoted four times as much space to the Sacco and Vanzetti case as to the break-up of the Geneva Conference. And the editorials show a remarkable unanimity of opinion: that something is radically wrong with United States justice. We quote below the more significant statements.

The London *Times* (August 11):

A postponement once again must intensify feeling widely prevalent all over the world, whether the condemned men are guilty or not, that the prolonged suffering which they have undergone during seven years under the sentence of death makes them fit objects of pity.

The London *Spectator*, a conservative weekly, (August 13), waiving the question of the men's guilt, hopes that they will be reprieved

because that would be best, not only for peace but for the credit of the United States. Certain facts make us feel that justice in the strict sense of the word would be truly served either by the release of the prisoners or by a further term of imprisonment, the greater part of which might be taken as having been already satisfied by the six years under which the prisoners have lain under sentence of death.

The London *Outlook*, mildly liberal, (August 13) comments:

In themselves Sacco and Vanzetti are obscure and without any political importance. But they have become a symbol to millions of people throughout the world as victims of the "capitalist" system of justice, which has one law for the poor and another for the rich. The case has intensified class antagonism throughout the world. It is difficult to judge the case on its merits, but there is no question that there is something radically wrong with American administration of law.

The London *Daily News*, (August 11):

No one whatever ought to be treated as these men, whatever they have done. Surely there must be some one in America, President Coolidge or another, capable of quietly making effective this obvious truth.

The question now is whether that is enough or whether patriotic Americans can suffer longer a criminal system so rigid and stiff in its pedantry and in its tender mercies worse than the excesses of barbarism.

The Liverpool *Post* in an editorial said (August 9): "The original trial from start to finish was a travesty of judicial procedure. It was so understood among most of the European peoples and we can readily believe it was so understood in America as a whole."

The Paris *Journal des Débats* (conservative) August 4:

The decision of Governor Fuller has caused profound surprise and real regret in France. We still believe that

there is strong reason to consider these two men innocent of the crime with which they are charged and for which they have already suffered such cruel punishment. Our opinion is shared by men and newspapers of very different sympathies and parties.

Even if reasons of equity did not exist, we had hoped that the sentiment of pity would at least inspire the man who held in his hands the fate of these two condemned men. One can say only that it is with astonishment that we learned his decision, and that in making it he has assumed a heavy moral responsibility.

The same paper on August 11:

If this was not a serious matter one would be tempted to describe it as cinematographic justice. Right to the end it has shown an extraordinary mixture of melodrama such as would have been accounted all but impossible if recounted in fiction.

But the matter is serious from many points of view. One must be entirely without heart not to be moved by the torture of constant uncertainty inflicted upon these two men. Even if Sacco and Vanzetti are guilty, they cannot now be executed without the suspicion persisting of a great injustice having been done.

In every country all over the world it is the hope and wish of all men of ordinary humanity that they should now be spared.

The *Temps*, (conservative), Paris (August 7):

We wish to see the lives of these men spared, whether they are innocent or guilty, because we think that they have suffered enough in these seven years of nightmare. But we do not wish to go further than that. Human life should always be respected, but so also should the justice of a free people. We do not wish that today's manifestations should be otherwise interpreted by the American people than as being perfectly respectful to American justice.

Liberté, Paris (Nationalist), August 11:

The burial of this deplorable business would be certainly better from every point of view than the burial of the two victims. The symbolic torch which the Statue of Liberty carries in her hand must not be replaced by two half-scorched scarecrows.

The *Quotidien* (Herriot's paper) says the execution would be a crime against humanity. "If Sacco and Vanzetti are executed with them will be buried American justice. We still hope for pity, for humaneness."

The Berlin *Montagspost* publishes a symposium of the views of about a dozen prominent judges and criminal lawyers, to all of whom the seven-year delay in the case seems an inexplicable flaw in American judicial methods. All express the belief that the execution ought not be carried out, and it is pointed out that during the last four years 85 per cent of the death sentences in Germany have been commuted. Dr. Eberhardt Schmidt, professor of criminal law at Kiel University, writes: "I am opposed to the death penalty on principle, but apart from that I consider that Sacco and Vanzetti should be pardoned because the death sentence is seven years old."—New York *World*, August 9

Nation Readers on Sacco and Vanzetti

The Mark of Cain

TO THE EDITOR OF THE NATION:

SIR: With millions throughout the world this morning, I thank whatever gods there be that I have not, for the time being, the mark of Cain on my forehead. But to escape that dishonor all who believe either in the innocence of Sacco and Vanzetti or in the fact that, innocent or guilty, they are today symbols of freedom of speech and of political and economic agitation, must not relax their efforts to have them freed.

It is this fact that raises, or should raise, the matter above all legal quibbles and sophistries.

The case does not concern Massachusetts alone. It is the United States that will have to bear the odium throughout the world of having put men to death for being agitators along political and industrial lines.

No one, least of all those who believe in the existing order, can afford to have this growing world-wide belief confirmed by the execution of these men. In themselves they are insignificant and in their opinions absurd or quixotic. It is the principle involved that has made the case significant, and that makes the ultimate decision momentous.

New York, August 11

BENJAMIN MACMAHON

Would Indict Massachusetts

[By Telegraph]

TO THE EDITOR OF THE NATION:

IF SACCO VANZETTI EXECUTED I URGE BOSTON COMMITTEE SUMMON GRAND JURY OF LIBERAL CITIZENS BRING FORMAL INDICTMENT AGAINST COMMONWEALTH OF MASSACHUSETTS FOR FIRST DEGREE MURDER JUDGES SHOULD BE APPOINTED JURY IMPANELLED IN REGULAR FORM COMPLETE TRIAL HELD SUMMONING ALL WITNESSES OF BOTH DEFENSE AND PROSECUTION INCLUDING JUDGE THAYER AND GOVERNOR FULLER THOSE WHO FAIL TO ATTEND SHOULD BE REPRESENTED BY PROXY EVEN MORE IMPORTANT THAN SAVING LIVES OF TWO RADICALS IS NECESSITY OF EDUCATING AMERICAN PEOPLE TO NATURE OF THE FRAMEUP NOW AN ESTABLISHED FEATURE OF AMERICAN POLICE SYSTEM I BELIEVE THIS PROPOSED TRIAL WOULD BE WIDELY REPORTED.

Long Beach, California, August 12

UPTON SINCLAIR

Captain Proctor's Testimony

TO THE EDITOR OF THE NATION:

SIR: The testimony of Captain Proctor as Commonwealth's expert was brought before the Supreme Court for review upon the fifth supplementary motion for new trial on the ground of newly discovered evidence, which motion had first to be passed upon by Judge Thayer and the granting of which was discretionary with him. The Supreme Court thus had an extremely restricted question submitted to them. This was error on the part of defense's attorneys—or rather mistake of tactics. The proper ground on which to base the motion on that ground was mistake of law important enough to be prejudicial in the original admission of Proctor's opinion at all. The reasoning is as follows:

Proctor stated he had an opinion and that it was "consistent with" the conclusion that the bullet in evidence had come through Sacco's Colt automatic—i.e., that it might have come through it, to use common talk. Such an answer would have been inadmissible if given by a non-expert witness. It was only admissible from Proctor because he was an expert and

his expert opinion was supposed to be a fact, while an ordinary man's conclusion is excluded because it is the duty and province of the jury to draw their own conclusions and not adopt others'. But an expert's opinion that a result might have occurred or a thing might have happened is not an expert opinion (legally considered) except as it be taken as signifying that some signs or items of evidence, factors, and elements for a basis of positive judgment, one way or the other, were present in his mind when testifying, and considered by him as affording some ground for belief however faint that the bullet had actually so traversed the pistol of Sacco. Otherwise, for a witness to say that a 32-caliber bullet might have been shot from a 32-caliber revolver is nothing but a statement of obvious fact and has nothing expert about it. The fact that an important expert witness so testifies necessarily implies as much; just as when an important medical diagnostician says "The man may be suffering from cancer" it means naturally that to him there is at least a faint ground for positive belief that he is actually so diseased, while the same remark from a layman would mean only a guess or an obvious fact.

But Proctor's subsequent affidavit clearly establishes the fact that there were no such signs observable to him whatever. It therefore transpires that there was no expert "opinion" at all, nor were there any grounds for it, as his detailed affidavit expressly denies all of them. So his answer was inadmissible as matter of law and the admission was clearly a mistake of law which only transpired by the affidavit.

Was it a material error? I don't know without reading the whole record, but in view of Proctor's office as police head and his function as State expert, I should think it was a material and very prejudicial error.

Was the defense bound by failing to object and except at the trial to this evidence? I think not, because the expert had a right to say he had an opinion and then to state it, which he did. Defense could have scrutinized and developed his grounds or absence of them for that opinion, but that is a matter of tactics, and they were not obliged to risk doing so. Therefore they are not now precluded from taking advantage of this mistake of law, which only transpired through the later affidavit of Captain Proctor.

Minneapolis, August 11

HOMER MORRIS

The Pope's Position

TO THE EDITOR OF THE NATION:

SIR: The Pope's refusal to consider the plea relative to the renowned Sacco-Vanzetti case, will unquestionably instigate considerable controversy, not only in religious circles but among the general public as well.

While the Pope might "not see how any appeal was possible since the men had already been condemned," nevertheless it is obvious that he does not feel disposed to interfere. True, he might not be able to render material aid, but if any statement was forthcoming, would it not have been wiser if the Vatican had issued a statement deploring its inability to aid Sacco and Vanzetti—a statement that would clarify the futility of capital punishment as seen through the eyes of Rome, instead of this terse and very unsympathetic message.

I am a Catholic myself, and I know that I am expressing the sentiments of many more, irrespective of their creed, in disapproving of the statement which very recently emanated from Rome. We are all entitled to our personal convictions and mine is: Since the Pope is the mortal representative of Christ, why does he not try to do what Christ would do?

New York, August 11

JAMES P. HEALY

An Open Letter to President Lowell

TO THE EDITOR OF THE NATION:

SIR: I am asking the courtesy of your columns for the enclosed open letter to President Lowell of Harvard that no publication in Boston seems willing to publish.

Boston, August 9

JOHN DOS PASSOS

As a graduate of Harvard University I feel that I have the right to protest against the participation of the president of that university in the report on the Sacco-Vanzetti case presented to Governor Fuller by his advisory committee. I feel that you have put your name and indirectly the name of the university you represent to an infamous document. This is no time for mincing words. You have made yourself a party to a judicial murder that will call down on its perpetrators the execration of the civilized world. What it means is that you are allowing a Massachusetts politician to use the name of Harvard to cover his own bias and to whitewash all the dirty business of the arrest of these men at the time of the anarchist raids and their subsequent slow torture by the spiteful and soulless mechanism of the law. They have probably told you that this was a mere local decision on a Boston murder case, but to any man with enough intelligence to read the daily papers it must be clear that somehow it has ceased being a Boston murder case. Sacco and Vanzetti starving in their cells in the death house and the authorities of the State of Massachusetts building the electric chair in which to burn them to death have become huge symbols on the stage of the world. The part into which you have forced Harvard University will make many a man ashamed of being one of its graduates.

Many of us who have watched the case for years felt that your appointment as a member of the committee assured at least a modicum of fair play and of historical perspective in the conduct of the investigation. This hope was pretty well shattered when it was announced that the investigation was to be carried on behind closed doors. If there was nothing to hide, why the secrecy? Since when have star chamber proceedings been part of the American judicial system?

The published report has confirmed our worst forebodings. With inconceivable levity you counsel the electrocution of two men because it "seems" to you that the enormous mass of evidence piled up by the defense in seven years' heartbreaking work should be dismissed, like the rent in the lining of the cap that you wrongly assert fitted Sacco, as so trifling a matter in the evidence of the case that it seems to the committee by no means a ground for a new trial. Did the committee feel that the prosecution's case was so weak that they had to bolster it by fresh deductions and surmises of their own?

The report in its entirety is an apology for the conduct of the trial rather than an impartial investigation. Reading it, the suspicion grows paragraph by paragraph that its aim was not to review but to make respectable the proceedings of Judge Thayer and the District Attorney's office. Not in a single phrase is there an inkling of a sense on your part or on that of your colleagues of the importance of the social and racial backgrounds of the trial. Your loose use of the words "socialistic" and "communistic" prove that you are ignorant or careless of the differences in mentality involved in partisanship in the various schools of revolutionary thought.

This is a matter of life and death, not only for Sacco and Vanzetti but for the civilization that Harvard University is supposed to represent. The Sacco-Vanzetti case has become part of the world struggle between the capitalist class and the working class, between those who have power and those who are struggling to get it. In a man in high office ignorance of the new sprouting forces that are remaking society, whether he is with them or against them, is little short of criminal. It is inconceivable that intelligent reading men can be ignorant in this day of the outlines of anarchist philosophy. Instead of crying ignorance it would be franker to admit that as anarchists and agitators you hate these men and disapprove of their ideas

and methods. But are you going to sacrifice the integrity of the legal system to that feeling? Are you going to prove by a bloody reprisal that the radical contention that a man holding unpopular ideas cannot get a free trial in our courts is true?

I cannot feel that either you or your colleagues have understood the full purport of your decision. If you had you would certainly have made out a more careful case for yourselves, one less full of loopholes and contradictions. It is upon men of your class and position that will rest the inevitable decision as to whether the coming struggle for the reorganization of society shall be bloodless and fertile or inconceivably bloody and destructive. It is high time that you realized the full extent of the responsibility on your shoulders.

As a Harvard man I want to protest most solemnly against your smirching the university of which you are an officer with the foul crime against humanity and civilization to which you have made yourself accessory.

JOHN DOS PASSOS, '16

Boston's State of Mind

TO THE EDITOR OF THE NATION:

SIR: Summoning the bomb squad, the State police, and the fullest emergency strength of her police force, Boston prepared to defend herself against the defenders of Sacco and Vanzetti. Public meetings and demonstrations of whatever sort were forbidden. Even so, merchants and property owners near the Common took out thousands of dollars worth of fresh insurance against riot and robbery. And those Boston citizens who had to face the perils of their city during the past week could relax their nervous strain only after Wednesday night was safely passed.

Think of their escapes in those few days! Six Italians arrived in an automobile, armed with leaflets demanding that Sacco and Vanzetti be released. But the stalwart police arrested them before the leaflets could be exploded.

A package containing the menace of one hundred seidlitz powders was intercepted, as the messenger dared to walk through the streets in broad daylight. The package was opened and examined; then the messenger was allowed to proceed.

Two men with a foreign accent said something in a public elevator about bombs and bombing. Within a few hours, plain-clothes men had traced them to their union headquarters, arrested them during a conference with an employers' committee and finger-printed and quizzed them with no inefficient delay for the formalities of a warrant.

Perhaps bravest of all were the heroic employers who discharged at once workers who endangered the safety of the Commonwealth by carrying before the State House—in defiance of the police—placards declaring the innocence of Sacco and Vanzetti. Of course in Massachusetts there is a certain lese majeste in such an inscription as this: "President Lowell called Sacco's alibi witnesses liars. They proved him wrong. Now he kills Sacco. Governor Fuller asked for proof of Vanzetti's eel-selling alibi. He got it. Now he kills Vanzetti."

Boston, suffering a grave relapse in its fever of prejudice, sets up an almost impenetrable wall of respectable authority. Court, commission, and Governor, contemptuous of workers and radicals, defend sacred institutions against the "mob rule" of popular protest. Even liberals who had in the past signed petitions for a new trial stand by the men of their own class and, as Bishop Lawrence wrote the other day from Bar Harbor, "feel that with the Governor's decision the matter is closed."

But the case is clearly rooted in the joint persecution of radicals by federal and State authorities. Its implications touch every citizen of the United States. If Massachusetts continues too paralyzed by prejudice to save our fair name, can we not compel an investigation of the Federal Department of Justice before it is too late?

Boston, August 12

ANNA ROCHESTER

Indiana's Anti-Saloon League Goes to Jail

By LOUIS FRANCIS BUDENZ

Indianapolis, August 8

THIS is Saturday, August 6, and the honorable Supreme Court of the State of Indiana is now in session. The case of the State vs. Edward S. Shumaker is before us. It is no ordinary proceeding which has brought the five justices in funereal file onto the bench this midsummer morning. One autocracy is locked in wrathful grip with another. Shortly the name of Rev. E. S. Shumaker, D.D., head of the Indiana Anti-Saloon League, will glare at us from the front pages of the nation's newspapers, a close publicity rival to that of his fellow Hoosier celebrity, ex-Grand Dragon D. C. Stephenson.

Late on the afternoon immediately preceding our present solemn session the honorable court had announced to the world that the defendant Shumaker was guilty of contempt. We are now met to pass sentence upon him. The spacious chamber in the State capitol is crowded, extra seats having been provided for the emergency. The faithful dowagers of the W. C. T. U. are there in force, sad-eyed but resolute, some of them weeping silently at this outrage to a valiant leader of the "cause." Reporters from distant parts are standing as close to the bench as they dare venture, the journalistic world having awakened to the fact that Indiana is becoming a source of bizarre news.

Over to the left sits the defendant—a rotund, soft-voiced, bespectacled individual, looking for all the world like Mr. Pickwick. The suave smile which usually lights up his homely features has given way to a strained air of concern. To the right is the man who has brought him to this pass—Attorney General Arthur L. Gilliom, stocky, olive-skinned, a Swiss-American hailing from the Swiss-American town of Berne, near South Bend. The viewpoint of that northern section of the State is colored more by the ideals of gay and alcoholic Chicago than by those of drab and puritanic Indianapolis. Mr. Gilliom, taking his cue therefrom, is a sworn enemy of Ku Klux Klan and Anti-Saloon League alike. Determined to grasp the scepter of the Republican Party for himself and the "liberal element," he is inclined to no halfway measures and will probably go too far. The ladies of the W. C. T. U. already prophesy that this action will "cause an upheaval in Indiana," and they are a power not to be laughed to scorn. Even in the court room they carry on their missionary work; they flutter about the reporters, urging those confirmed cynics "to be sure to vote right."

Short shrift is made of the case, nevertheless. The injured court affixes a fine of \$250 and sixty days at the State Farm as the penalty for Dr. Shumaker's offense. August 18 is set as the day when his attorneys may argue any motions that may be on their minds. Pending such argument, he is released on \$1,000 bail, quickly provided. Thus does the dictator of the second worldly-spiritual clique which has ruled Indiana with rods of iron, find himself in the hands of what is commonly called the law.

That he should have come to this sad state is the occasion for grave surprise from Lake Michigan to the Ohio River. To be sure, incarceration of public officials and public-spirited citizens in penal institutions is a common

practice in that territory. Public office has become a likely stepping-stone to the penitentiary. It is not so many years since the then mayor of Terre Haute was so confined, at about the same time that the chief of police of Indianapolis was in a similarly bad way. Warren T. McCray, immediate predecessor of the present Governor, left his office prematurely to sojourn in the Federal penitentiary at Atlanta, where he still is. The present Marion county grand jury may take action which would speed Mr. McCray's successor along a parallel pathway, provided the statute of limitations does not intervene. In addition to the Stephenson charges, the Indianapolis *Times* now accuses Governor Jackson (while Secretary of State) of having attempted to bribe McCray to appoint a prosecutor in Marion County favorable to the Klan, in return for a "gift" of \$10,000 for McCray's defense.

Though the fate of these men startles no one, with Shumaker it is different. His domination of the State has been as great as that of Stephenson, and much more firmly rooted. He has been no slack workman in the factory of the Lord. A minister of the Methodist Episcopal Church, he has devoted fully half of his sixty years of life to the battle against alcoholic beverages. For twenty of these years he has occupied his present position as superintendent of the Indiana Anti-Saloon League, all of which time he has been a power in State politics. His quiet, shrewd personality has pervaded every line of that long series of legislative acts which have made Indiana, by statute, the driest of our commonwealths.

The crowning achievement of his career was the passage of the so-called Wright bone-dry bill. Alcoholic beverages in all forms, even for medicinal purposes, came under the ban of the law. The prosecutor's fee in liquor cases was put at \$25, in contrast to the \$5 required for that purpose in all other actions. Common drunkenness carries with it, as a consequence, a fine of at least \$40 for each offense. And "drunkenness," in practice, became a very elastic and all-embracing term. Doubtful breath odors alone have been and are possible causes for conviction. Searching and seizing went beyond all conceivable bounds. Doughty workers of the Women's Christian Temperance Union systematically intimidated the courts. Practically every liquor trial in Indianapolis is still attended by an army of soldierly matrons, who troop into the court room in military formation and occupy the larger part of the space reserved for the public. In cases where the prosecuting attorney of any county is unable or unwilling to enforce the law, the Attorney General may appoint special assistants to enforce the law in that county. They are allowed the \$25 fee in case of conviction, and if the defendant cannot pay it within ninety days the county must pay it. Under this section of the law, the prosecuting attorney of Marion County had three young lawyers appointed, and for a time, these dynamic young men collected as high as \$1,500 a month apiece out of this lucrative employment.

Thirsting for further triumphs, E. S. Shumaker, D.D., this Anthony Comstock of beverages, sought an amendment to the dry law declaring the mere possession of liquor to be

a crime. A frightened legislature obediently carried out his mandate. Through one of those defects to which even geniuses are addicted, the law as thus amended failed to include this addition in its title. Upon reaching the Supreme Court on a test case, that body held the omission to be fatal to the act's validity. Judge Benjamin Willoughby, a determined and vindictive old man, wrote that opinion. Although this particular decision seems to follow out the practice of the State and the rulings of previous courts, this and other acts of Willoughby were made the occasion for a State-wide campaign against him, when he came up for reelection in 1924. Attacked jointly by Anti-Saloon League and Klan, he was apparently defeated by his Democratic opponent, ex-Congressman Denton, of Evansville, by over 900 votes. The election authorities, however, found that he had been successful by the grand total of one vote.

The Supreme Court, by divided decisions, continued to clip the talons of the anti-liquor forces. The blanket warrant, unsworn to, which had been a prominent feature of early prohibition days here, was declared to be a violation of the Constitution. In the famous Beech Grove case and other cases, it was held that the warrant must be specific in its description of the premises to be searched. This was, necessarily, a serious restriction upon the spectacular methods employed by the enforcement agents and their volunteer aids up to that time. It had been the custom of these irrepressible sleuths to draw a warrant covering a whole district, which might include blocks of houses, industrial establishments, and small businesses. Armed with such sanction, these mighty arms of the law might roam about, searching and seizing at will.

The court's heretical differences with the forces of righteousness produced the inevitable reverberation. In his 1925 report to his league, Shumaker not only took Attorney General Gilliom to task for lack of zeal in liquor prosecutions but also paid his compliments to the judges, including Willoughby in particular. He ended with the hope that the next election "will give us a court which will be dry and not wet."

The Attorney General, however, was not prepared to eat humble pie. He was the only candidate on the Republican ticket of 1924 (chosen by the Stephenson-Walsh-Watson coalition) who paid open court, in the campaign and after, to the anti-Klan and "liberal" groups. Securing the Shumaker report by accident, he instituted the proceedings against the Anti-Saloon leaguer for contempt. Two at-

torneys for the league were included in the Attorney General's action.

The Supreme Court judges, or at least some of them, jumped at the chance to smite their foe. Six lawyers were chosen as friends of the court to look into the charges. After various delays, these gentlemen reported that the league's attorneys had purged themselves of contempt by showing that they were not guilty of the report's authorship. Shumaker was held to have injured the court's dignity and respect, and therefore to have made himself liable to punishment. By a three to two vote, the court affirmed this judgment in regard to Shumaker, but likewise decided that one of his attorneys, Jess E. Martin, was equally involved and therefore equally guilty.

To crush Shumaker's dictatorship, the court has gone far toward setting up one of its own. Answering Shumaker's statement, from the report, that "our courts are the servants, not the masters of the people," the majority opinion declares that "courts in this country are subservient to the Constitution of the United States, the constitution of this State, and to the established law of the land only, and to no other earthly power." This strange and Mussolini-like doctrine takes on an even more threatening aspect when it is known that the contempt in this instance consisted in "veiled threats" to defeat judges for reelection. To instruct the bewildered electorate on whom they should center their choice for elective judicial offices thereby becomes a crime. The court's remedy appears to be worse than the disease.

The rising sentiment against the Klan has probably emboldened the court to take this rash position. With meticulous care, Shumaker has kept the two organizations organically apart. In the public mind, however, they are often confused and thought to be allied. In raiding expeditions and other ventures, subdivisions of the two powers have frequently cooperated. Relying on an old statute which allows the Governor to swear in men as horse-thief detectives, the Klan had thousands of its members given this unusual authority. At the zenith of its strength they used this indiscriminately to suppress anything from "petting parties" to suspected liquor dealers. Rum, anti-Catholicism, anti-Semitism, "nigger hating," and radical baiting are lumped in the mind of the man in the street as one. The Supreme Court has met the suppression of one set of liberties by the suppression of others—and Indiana is beset on all sides by intolerance.

Guy Lowell

By TALBOT FAULKNER HAMLIN

PURITANISM is not the only mark of New England tradition; the early insistence upon education laid firmly the foundations of a respect for a culture much broader than the original ideals it was supposed to support. This movement did not die with Emerson or Thoreau; it still flowers in our own time. Guy Lowell, who died some months ago, was a remarkable example of this flowering; he represents completely both the advantages and the disadvantages such a background may bring to one who seeks creative outlet in the arts.

Guy Lowell, cousin of the president of Harvard, cousin

of Amy Lowell, could not help being scholarly. To him refinement of taste was no affectation; it was part and parcel of his entire being. Classicism was for such a one inevitable. It shows in every one of his works; perhaps best in the colonnade of the Fenway side of the Boston Museum, whose ranked white columns seen over the ponds and the greenery of the park have a haunting beauty, seeming to give pause to the smoking factory chimneys in the distance which ring Brahmin Boston with a circle of anachronistic noise and steel. From these white columns comes a protest passionate and beautiful against today. It is a

beauty half akin to nostalgia; the incarnate longing for a less chaotic time; it embodies, probably unconsciously, that turning backward, which an intellectual culture, unattached to the present by any economic need, often produces.

The same beauty shows in all his work. Its quality does not come from mere copying; for this spirit is not the spirit of the style revivalists of the early nineteenth century. The quality comes from the attempt, intense and sometimes fruitless, to create today in a language much loved but dying or dead; a language that is without a vital appeal to the mass of the beholders.

This quality is not dependent upon the use of an "ancient" style, for Guy Lowell was no mere stylist. In the little library at Boscawen, New Hampshire, he produced a building in an exceedingly free Georgian or Colonial manner. It is in no sense archeological or academic; yet even here one feels the touch of a refinement, a balance, more classic than the most meticulous copy. So, too, in the white marble house at Eighty-sixth Street and Fifth Avenue in New York, there is incarnate the same delicacy of feeling, the same quality of a beauty nostalgic, slightly forced, almost decadent, impossibly aristocratic. Like the fame of its designer, it survives, a thing a little distant, haughty rather than cold, distinguished and aloof.

Guy Lowell's present fame is due more to the New York Court House, so recently completed and opened. The solution embodied in the competitive drawings was magnificent; clear, logical, characterized by the mind of a scholar, instinct with the large simplicity of that Roman work Lowell so loved. In the change from circular to polygonal the design lost some of its quality. This was typical of the tragic side of such a temperament. For the clear unity of the circle is not in tone with modern mechanical methods: its cost proved excessive; before the implacable necessity of modernism, the circle hardened into a hexagon; the quality of Lowell's dream was dimmed to a compromise, inevitable in such an unequal struggle.

A mind like Lowell's necessarily seeks Europe. There

lay the seed of the culture he loved and expressed. During the war his sympathy turned at once to the Italy that was still the symbol of the classic past. No mere expression of sympathy satisfied him; he must throw into the struggle his whole self, and in the Red Cross on the Austrian front, he found work that satisfied and thrilled him; it was almost as if at last for the first time he found his cultural classic emotionalism and the passion of a great people wholeheartedly at one.

A scholar, as well as a designer, Guy Lowell inevitably produced books. His contribution to American architectural literature was immensely important, though in ways he could not always have expected. Again it was love of Italy that determined his choice; and in the two volumes of Italian villas and farmhouses which he published, full of photographs thrillingly picturesque and sketches of his own of characteristic delicacy, he introduced American architects to a new vernacular.

To the growing love of stucco and tile of the Spanish renaissance already existent, these books gave new life. The restraint of the Italian work was a desirable antidote to too great a baroque license, and to Lowell's books is due not a little of the skill which characterizes much of the best work in that type.

Guy Lowell, perhaps, has affected American architecture more deeply and widely in his books than through his buildings, just as Amy Lowell may be longer remembered for her study of Keats—another modern in love with a classic past—than for her poetry. Like her, he had that loneliness that comes from membership in a passing aristocracy; but aristocrat his every work has proved him, and his death among the stucco walls and sunny hills of a distant tropical island seems strangely symbolic; it took away the spirit of one in love with a beauty that was of another time; a fruitless love whose passion drove him further and further away from the country where he was born, the industrialism that supported him, and the clash of a vital modern world.

Re-discovering the Pacific Ocean

By EDWARD H. HUME

Honolulu, July 30

BALBOA brought the existence of the Pacific Ocean to the attention of the Western world. William H. Seward, with vision that has proved prophetic, foresaw its importance in the century ahead as compared with the Atlantic. The Institute of Pacific Relations, which has just held its second biennial conference at Honolulu, may be said to have re-discovered the Pacific. It exists for the very purpose of facing squarely the major factors already evident in that area, factors which may bring good or ill to our world according to the way they are met. Of some of the issues in that area we, as a nation, are as yet scarcely aware; others, such as immigration, Americans are inclined to believe the United States has disposed of. All of these questions are coming to the front again and must be faced.

For the members who journeyed to the Institute conference—and let it be recalled that there were no representatives present delegated by this or that national or regional body; those who attended were selected individuals,

chosen for their knowledge or influence in some field of Pacific interest—the experience was a voyage of discovery. They came to attend, and found that they had discovered.

The first discovery was in the realm of human relations. As an Australian member put it, "It was a liberation of my mental vision to come in contact with Messrs. Koo and Yui of China, and with some of the Japanese members. I had no idea of their caliber. They impressed me tremendously by their use of English, their power in debate, and their ability to adjust themselves to situations that arose. Men and women from two sides of the Pacific, who had known nothing of each other, met, spoke together with the utmost frankness, and developed personal relationships that were remarkable, quite apart from reference to issues debated. They found, as they debated, that wherever they first appeared to differ, the areas of agreement soon proved larger than they had expected and that differences, while clear-cut, were not numerous. They found that the eco-

conomic inter-dependence of the several nations in the Pacific area was amazingly real.

The second discovery had to do with the nations lying west of the Pacific. China was found, as the chairman aptly said, to have "discovered the fountain of youth." The old indifference and traditionalism had disappeared and in its place was seen an aroused China, determined and confident. Every Chinese member was a living evidence of this fact. Japan was found to be almost staggering under an economic burden of the most perplexing sort. The Japanese members demonstrated beyond dispute that while population was increasing, there was no commensurate growth in the supply of raw materials and markets. Her island domain will not expand either in size or productivity and it was soon found that this problem was not Japan's alone. Soviet Russia had been invited to send members but none were present. On many sides the hope was expressed that their viewpoint would be presented at subsequent gatherings. Manchuria was shown, over and over again, to be a region of real and growing friction, involving all three of these nations. Russia and Japan look at each other in no great friendliness as their issues clash here; China and Japan differ widely as to the validity of the treaties signed in 1915 after the presentation of the Twenty-One Demands. Other sharp points of difference are found, for instance, in the highly developed system of law which Westerners who reside in China are accustomed to for themselves, in contrast to the much less highly developed legal codes of the Chinese; or again, in the determination of the Chinese to recover the jurisdiction they have lost, in tariff administration, in law courts, and in foreign settlements—a determination which is met by the insistence of the Westerner on definiteness and safety. The very recognition of these differences led to increased determination to discover and remove the factors standing in the way of adjustment.

The third discovery was of immediate and pressing needs. Here lies a vast ocean, whose distances can be crossed with increasing rapidity for the purposes of passenger and freight traffic, but whose scanty supply of possible naval bases makes it evident at once that Pacific problems cannot be solved with the same war technique that has prevailed, hitherto, in the regions of the Atlantic. It was found that there was scarcely any international machinery for use in major Pacific issues involving serious conflict. While inventions forge ahead and science daily suggests new methods for devastating warfare, the Washington Conference adjourned in 1922 without providing for any further assembling of the Powers concerned, and even the League of Nations has but one small standing sub-committee to deal with friction in the Pacific. Here is an ocean crossed by migrations, some of which are checked by legislation while other streams are still active. How can these race contacts be wisely regulated? Here is a vast area in which old races are disappearing, flora and fauna changing constantly, where industrialization is rapidly altering old economic balances. How can the era of assumptions and speculations in such vital matters be left behind and an era of objective research be quickly entered? These were some of the questions faced squarely at the Institute.

The fourth discovery was that of the strangely rejuvenating influence of the Pacific on those who now line its shores. The United States and Canada are still young and their strength is growing. Australia and New Zealand are young, too, and feel the tingle of youth in their blood.

But China, too, is revived. As a motto on a recent Chinese publication says, "The time of negation is at an end. High purposes are at hand." Near Young China stands a new Japan, increasingly liberal, increasingly conscious that in the spirit of youth she must forge forward to work out her destiny. Even the British members felt the impulse of the Pacific. They went to the round tables like schoolboys, met the Orientals squarely, faced without flinching the criticisms of both China and Japan and sat down with groups from each of these countries to study out how to deal with existing situations. At the end of the Institute conference one of the strongest of the British members asserted that outside of governmental agencies he knew of no body so significant in the field of Pacific problems nor of any that had so frankly tackled the major issues of that area.

Members of the Institute leave the conference, not speaking of any success attained nor satisfied with personnel and procedure in any merely optimistic spirit; but rather, deeply impressed with the magnitude of the Pacific arena and with the need for a mechanism and a spirit that shall make possible the solution of issues within that arena on a plane wholly different from any that has been known in the Old World. They believe the Institute affords at least a sane approach to the study of those issues and they look forward to a more intelligent understanding of their nature on the part of citizens in each of the Pacific countries. To them the Pacific Ocean represents, not a barrier that separates, but a highway for the travel of the spirit—the spirit that shall bring fuller knowledge and the ultimate elimination of war.

In the Driftway

AS the Drifter has traveled about the country he has lately observed a tendency to glorify the American employee in the lower ranks of labor. No matter how unskilled the laborer, the employers are resolving that he shall not work in obscurity. The star system has struck American labor, and no longer mute and inglorious, the humblest employee sings as he works.

* * * * *

THE Pennsylvania Railroad, for instance, has begun to feature its shop employees on its dining car menu cards. As one sits down to dine and takes up the card one is confronted with a nice picture on the outside with a caption underneath stating that this is J. Montagu Smith, the father of four children, who lives in Altoona and has worked in the shops of the Pennsylvania Railroad for thirty-seven years. These little biographies are changed off now and then, and thus a great many employees are given their day in the sun. The dining-car porter is beginning to emerge from obscurity, too. One now finds his name on the bottom of the menu card. "You are being served," one reads, "by Mr. Lionel Johnson." It is the same with the hotels. Approach the desk to register in Boston, Atlanta, Des Moines, or Seattle, and everywhere the name of the hotel clerk confronts you. The Drifter learned now that Mr. George Brown, and again that Mr. Frank Thomas, and yet again that Mr. Paul Lawrence were ready to serve him. Once in a hotel in Atlanta when the Drifter plunged into the basement of his hotel for a shave he discovered the legend in front of him: "This chair

attended by Mr. Albero Benventuri." Although the Drifter is shy and has a strong aversion to having his finger-nails manicured by strange girls in strange places, he logically decided that it would be safe now to patronize the manicure girl. There would now be no embarrassment about introductions. For would he not be informed that "This chair is attended by Miss Violet Summers?" But, alas, at this point the system had broken down! The poor girl wasn't featured at all.

* * * * *

FOR all the Drifter knows this "super-service" may be all to the good. If the movement has arisen from a belated realization of the brotherhood of man and the dignity of labor, he will perforce be patient. But if, on the other hand, it is only another scheme of the efficiency experts, he must lament. It may keep the slaves contented but it is not in order to rejoice. The Drifter can only warn the experts in the solemn words of the author of the "Elegy": "Let not ambition mock their useful toil." He wonders if, after all, our humble servants will be happy in all the glare of this publicity. He wonders, too, if patrons do not prefer to be served anonymously. He comfortably refrains from talking to a barber or a waiter, name unknown. But it seems boorish to refuse to say a few words to a fellow-man who has been as good as introduced. He will be forced to make conversation in the future whether he likes it or not, and there is already far too much footless conversation in America.

THE DRIFTER

Correspondence

Morituri Te Salutant

TO THE EDITOR OF THE NATION:

SIR: With regrets I must ask you to drop me from your mailing list for the present.

I give *The Nation* many thanks and have a sort of personal affection for it. It has been friend, teacher, and guide on and off these many years. To it I am more indebted for a wider, truer outlook than to all else I have read in current literature. Ambrosia, nectar, and manna in the Methbapterian wilderness it has been—a torch in the darkness of Coolidge-anity and a gas mask in the barrage of "big business."

Excepting its articles on the drama and music, yes, and its pictorial art, which are for the most part beyond my ken, and always the mysterious ravings of your cacophonous "poets," it has been a feast indeed; but a feast to be consumed in the closet with the door closed lest I be crucified on a fiery cross.

I am a teacher by occupation, and no teacher in this benighted South where I have spent my entire life dare acclaim *The Nation* and its ideals—its just ideals—and hope to live by teaching. It just isn't done. The mob would be on his neck.

Dark look the days ahead for my country when all liberal, enlightened opinion is stifled by the inquisitorial parsons and their political dupes. The enlightened are in a viler than Babylonian captivity and in the thumbscrews of a merciless Torquemadian "Holy Office."

I wonder what *The Nation* would think to see in a school textbook on literature the name of Robert E. Lee as a literary man and no mention of Thomas Paine whatever. Come to Texas and you shall see it.

Fare thee well, O wise and gentle Drifter! And ye, too, ye trenchant essayists and reviewers. Keep up the brave fight, if ye still have hope and vision of a better day. I cannot descry a star in the Stygian sky. But my eyes have become old.

Somewhere in Texas, July 27

W. M.

Contributors to This Issue

- LOUIS FRANCIS BUDENZ, managing editor of *Labor Age*, was formerly a resident of Indianapolis.
- EDWARD H. HUME has for twenty-two years served Yale-in-China at Changsha, Hunan Province, and is its president.
- TALBOT FAULKNER HAMLIN is a New York architect and author of "The American Spirit of Architecture."
- WITTER BYNNER, author of many volumes of poetry, is living in New Mexico.
- GEORGE GENZMER is on the staff of the Dictionary of American Biography.
- JOHAN SMERTENKO is a New York critic and student of the history of criticism.
- SHIRLEY JACKSON CASE is professor of the early history of Christianity at the University of Chicago.
- WALTER VOGDES is a California novelist and newspaper man now living in New York.
- CARLETON BEALS, a frequent *Nation* contributor, is teaching in Mexico.
- R. M. FOX is a resident of Dublin.

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Books

With the Gods

By WITTER BYNNER

I am at home with the gods of many people,
And therefore with the people of the gods.
My house is a temple fitted for their worship
With crosses, candles, feather-wands, tripods.
The Salt-Water Chief is my intimate at midnight,
Buddha smiles for me with his lotus-brow,
Out of a grave rises a Mexican image
Quiet for centuries and quiet now,
Korean dogs guard me from evil spirits,
Hopi Katchinas crowd my room with corn,
The Babylonian Moon-God lights my window,
I lend my bed for Jesus to be born,
I dare to have a difference with Jehovah—
Glad of a guest with whom to be at odds—
And when the cups are poured, I know that laughter
Makes people indistinguishable from gods.

General Dickman Views the War

The Great Crusade. By Major General Joseph Theodore Dickman with a foreword by General John J. Pershing. D. Appleton and Company, New York, 1927. \$2.50.

OUR World War generals are doubtless excellent fighters but as writers they are behind the Civil War generation. Not one of them has produced a book to rank with the memoirs of Grant, Sherman, Sheridan, Wilson, J. D. Cox and others. General Dickman, who commanded the Third American Army, has added little to the history of the great struggle. He writes with justified pride in the American troops, in their extraordinary bravery and adaptability, and in the refusal of their leaders to permit them either to be distributed among the Allied troops or to be condemned to trench warfare. The Americans, he says, made up their minds to change the warfare back to the historic open methods and they did so. His book is chiefly valuable for its revelation of the constant friction between the Americans and the French troops and the severe criticisms of French strategy at Belleau Wood.

As to the latter, he says that every one of the 1,862 Americans killed and 9,412 wounded was sacrificed needlessly at the behest of French generals. Belleau Wood was, General Dickman says, "of no strategical importance whatever"; the Wood was of no special value to us as part of a general line of defense"; "it was magnificent fighting, but not modern war"; "Belleau Wood was a glorious but unnecessary sacrifice." Had this battle never been fought, the success at Soissons a few weeks later would have compelled the Germans to leave the Wood without its costing an American casualty.

As for the French, General Dickman writes "they did not come up to our expectations of cordiality, frankness and co-operation in the pursuit of the ideals of our people." He tells of their overcharging the Americans, of near-riots in Trier after the armistice and other conflicts between American and French troops; of French officers sent away from the American forces because of brutality to German civilians; of the constant misbehavior of the French native troops; of the failure of the French to include a single American in the festivities headed by the President of France, over the release of St. Mihiel from German domination by American troops, etc. etc. The whole original idea of the Allies was plainly to use the Americans as labor troops or to draft them individually as replacements for British and French regiments. They, apparently, had no more belief in the fighting qualities of the

Americans under their own leaders than had the Germans—until they learned otherwise.

General Dickman waives any intention to assert that the Americans won the war; but he lets it be pretty well understood that he knows who did. There were no troops in Europe, he insists, who could have forced their way through the fortified fastnesses of the Argonne Forest except the Americans. The writer of this review, having seen those fastnesses not so long after the fighting ceased, agrees with him that it took incredible courage, daring, enterprise and determination—so great no one could have expected it of green troops in the most horrible of warfare, in the most difficult of *terrains*. But General Dickman, especially in dealing with St. Mihiel, fails to touch on the exhausted and demoralized condition of the German troops in 1918. If the Allies, as he says, "had lost such a percentage of their best men" as to render it doubtful whether they could have forced the Argonne, the same was true of the enemy. They, too, were bled white and exhausted. When the Germans had to meet the American attack they were without adequate reserves, they, too, were deficient in vitality and morale. Everybody testifies that if the Americans had attacked St. Mihiel in 1915 or 1916 the reception they would have received would have been entirely different. It is certainly open to question whether the Americans could have forced the warfare into the open if the Germans had not been spiritually and morally and physically at a low ebb. That does not detract from the wonderful American achievements, but when General Dickman fails to state it, he does not give his readers a true picture of the war. The American battle of November 1 and 2, 1918, he considers "the greatest feat of arms ever performed by an American Army." If that is the fact it has not yet penetrated American consciousness.

OSWALD GARRISON VILLARD

A Dapper Little Man

The Life and Works of Francis Hopkinson. By George Everett Hastings. The University of Chicago Press. \$4.

A MORE debonair man than Francis Hopkinson did not sign the Declaration of Independence. Over that historic transaction, otherwise solemn and desperate in spite of pealing bells and waving banners, the blithe little gentleman must have diffused an air of confident gentility. Luck and a cheerful temperament were his throughout life. The son of an affluent and highly respected lawyer in Philadelphia, he grew up in the pleasantest town in colonial America, received a good education at Franklin's new college, traveled in England, where he met the nicest kind of people, dallied for a few years with music, painting, and versifying, married the beauteous and wealthy Ann Borden of Bordentown, New Jersey, and settled down to practicing law, managing his wife's estates, and holding various political appointments. A man of letters by avocation, he imitated Gay and Prior in verse and Addison and Arbuthnot in prose, tinkered with several inventions, sat in the Continental Congress, contributed sprightly satires to the Revolutionary cause and later to the propaganda for the Constitution, enjoyed the friendship of Franklin, Washington, and Jefferson, was Judge of the Admiralty, and died respectably of gout and apoplexy in his fifty-third year. He was a dapper little man, whose head, according to John Adams, was no bigger than a large apple and whose whole personal appearance was the most amusing thing that Adams had ever met in natural history. In his own day he was regarded as a prodigy, and he had in fact that versatility which to contemporaries seems like genius but to posterity, unacquainted with the charm of the man, like frivolous mediocrity. Even his reputation as a jurist has waned. He is remembered now, so far as he is remembered at all, as the first person to receive a diploma from the College of Phila-

delphia, the first American poet-composer, the probable designer of the American flag, and the third best patriot satirist of the American Revolution.

Dr. Hastings's book is equally illuminating as an example of how to prosecute an historical investigation and as an example of how not to write a biography. His research has been conducted with thoroughness and discretion. It is unlikely that he has overlooked any document that would shed light on Hopkinson's career or failed to consult any person who might furnish information or made any mistake in his assessment of the evidence. Such work is not easy; so it is a pleasure to find the work done so well. Unfortunately, Dr. Hastings has not taken the same care with his writing. He does not discriminate between the pertinent and the irrelevant; he drags into his exposition what should have remained in the footnotes or been passed by in silence, and he makes no attempt to relate Hopkinson to the picturesque society in which he lived. Even an indurated historian, accustomed to reading public documents by the cubic foot, will murmur against the author's unnecessary tediousness. A single example is worth looking at. Chapter II begins thus:

Some confusion has arisen about the date of Francis Hopkinson's birth. Lossing, with a minuteness of detail that invites belief, states that he was born "at almost midnight on the third of September, 1738." The sketch in the *National Portrait Gallery*, which has been attributed to his son, Judge Joseph Hopkinson, says merely that he was born in 1738. Sanderson is equally vague, but changes the year to 1737. Delaplaine agrees with Sanderson as to the year, and adds September as the month of his birth. And finally, two of the most careful of his more recent biographers, Mr. Sonneck and Professor Tyler, have given the dates September 21, 1737, and October 2, 1737, respectively. Fortunately, the way out of this labyrinth is easy: The record in the family Bible states that Francis Hopkinson was born on September 21, 1737, at seven o'clock in the morning. Moreover, the discrepancy between the dates given by Mr. Sonneck and Professor Tyler is only apparent, as September 21, old style, is the same as October 2, according to the modern calendar.

And to this paragraph eight footnotes are attached, yet the whole thing, so far as anyone interested in Francis Hopkinson is concerned, simmers down to a single sentence and its footnote. The rest should have been strictly between Mr. Hastings and his seminar professor at Harvard. To let such material remain in the completed book is like retaining the scaffolding on a building as proof that the bricklayers have been at work. Such writing serves no purpose except to bring scholarship into disrepute.

GEORGE GENZMER

Healthy Sensuousness

Wedding. By Melvin P. Levy. Unicorn Press. \$2.

THIS is an erotic book, containing the most carnal-minded writing I know of in American literature excepting only Whitman. But it is not bawdy. It has nothing in common with the obscenity of Rabelais nor the ribaldry of Shakespeare nor the defiant pornography and furtive pruriency which are the polar attitudes of contemporary writers. Mr. Levy goes farther back, back to the naive voluptuousness of Greek and the healthy sensuousness of Hebrew literature. And he is not unworthy of his masters, for his libidinous story is written in chaste and beautiful prose.

Both this style, at once passionate and precious, and the emphasis given to the sheer cerebral reactions of the characters will serve as a deterrent to the merely salacious. "Wedding" is clearly and consciously not written for those who, while they accept the moralistic dogmas and inhibitions of the prude, seek lascivious titillation in the actions of the hedonist. Its treatment of sex is as thoroughly and as honestly sublimated as the prayer of a Shakti priest. Its consideration of carnal

phenomena is full as a biologist's and, hence, wholly lacking in suggestiveness.

For Mr. Levy has somehow made vital his rediscovery of the elementals of our physical experience. Of descending a flight of stairs in an ordinary apartment house he can write convincingly: "The stairs were before him, an immeasurable downward distance to be traversed. He could not see their end, could not imagine it. For a moment he paused before them undecided: then one foot dropped downward. With the skill which man has made the custom of the staircase, he caught his falling weight. Down, down, down he went unpausing." And as with this sensation, so with washing, so with amorous advances, so with the writing of poetry! Moreover, the inanimate and social manifestations of our civilization are treated with the same fullness. The subway, the child's game, and the auction market no less than a strange girl and a lustful acquaintance engross and stimulate the hero to philosophical resolution of the mysteries of living.

Those who know the author through "Matrix" will be amazed at the change and growth revealed in this book. The turgid, derivative style of that first novel has been strained and purified until it is crystal-clear and remarkably individualized; the autobiographical irrelevancies which so insistently demand expression from every young writer and which cluttered the pages of the earlier work are almost wholly eliminated here; and, most important of all, the hesitant and unconvincing development of action, which in "Matrix" was due to incertitude concerning emotional values and a groping for spiritual motives, is now replaced by a pointed and inevitable movement born of intellectual and artistic surety, a calm assurance which inserts with subtle understanding and vulgar beauty a story of the Crucifixion into this most contemporary of scenes, and a confident craftsmanship which despite all the numerous digressions gives the novel compactness and intensity.

JOHAN SMERTENKO

Justice to the Pharisees

Judaism in the First Centuries of the Christian Era: The Age of the Tannaim. By George Foot Moore. Harvard University Press. Two volumes. \$10.

IT is a unique experience for the modern reading public to be presented with an elaborate two-volume work on the religion of the Jews during the first two centuries of the Christian era. There is to be still a third volume containing notes and excursuses. These books are without a rival in their chosen field. They offer the only extended discussion of the subject available in the English language. Probably they constitute the most detailed description of Judaism in early Christian times that has even been attempted.

The undertaking called for courage. Serious obstacles stood in the author's pathway. Any general sympathy with his theme was hardly to be expected beforehand, particularly in view of his determination to share none of Christendom's traditional hostilities toward the Jewish race. Although not a Jew himself, he chose for study just that period of history when Jews are popularly thought to have displayed most glaringly their heinous character by their rejection of Jesus and the early Christian preachers. A second difficulty involved the question of obtaining dependable information. Everybody is acquainted with the radical criticisms that Jesus is supposed to have pronounced upon the scribes and Pharisees of His day. Also Paul's remarks about the desperate situation of one who tried to live worthily under the instruction furnished by the Mosaic law are familiar. But estimates of Judaism made by ardent champions of the rival Christian movement are in the nature of the case partisan documents. Not until speakers for the other side have been heard is one in a position to judge of the facts. But such information is not readily accessible. Even those Christian writers who would assent to this judicial

principle have as a rule been inadequately acquainted with the pertinent documents and consequently have been liable to draw hasty conclusions. They have not expended the time and labor necessary to insure familiarity with the Talmud and kindred Jewish literature; while Jewish scholars themselves have been none too active in making the contents of these religious books more generally available. It is an astonishing fact that, notwithstanding the large numbers of Jews scattered over the English-speaking world, there is no reliable English rendering of the whole Talmud or even of its most elemental part, the complete Mishnah.

Professor Moore has taken great pains to make himself at home in his sources of information, and his interpretation shows not the faintest trace of anti-Semitism. The publishers have accurately defined his aim in the words of the historian Ranke; he seeks to ascertain "what the thing is—what are the facts—and how it came to be." These volumes are particularly strong on the side of the "what." First there is a lengthy introduction in two chapters, one surveying the political career of the Jews down to about 200 A. D., and the other giving a detailed account of the various sources of information for the present study. The main body of the discussion falls into seven parts, with approximately a hundred pages allotted to each. The principal captions are Revealed Religion, The Idea of God, Man, Sin, Atonement, Observances, Morals, Piety, The Hereafter. The whole is elaborately indexed with respect to subject-matter, proper names, and passages and authorities cited. This feature adds much to the value of the books as works of reference, a use for which they are especially well adapted.

To accept our author's conclusions will involve a complete revision of the picture of Pharisaism as it has commonly been drawn by Christians. The alleged insincerities, hollow formalities, and barren legalism charged against scribes and Pharisees in the first century are found to have been not at all the characteristics of them as a class and must be set aside as slanders of their enemies. It is recognized that Judaism was a thorough-going legalism based on revealed instructions contained in Scripture. But the assumption that the principle of legalism was incompatible with the virtues of sincerity and genuine spirituality is stoutly contested. Indeed, Jesus and His immediate followers were "entirely orthodox" in their attitude toward the Jewish ceremonial law. On the other hand, the usual Christian claim that Jesus was the first to stress the conception of God as father, and the first to insist on the primacy of good motives in religious living, is emphatically denied. To call God "Father" was, we are told, not at all original with Jesus, but was characteristic of the type of piety in which He and His disciples had been reared. Similarly, the "wage-theory" of righteousness is not to be set down as the fundamental principle of Pharisaic religion. On the contrary, love toward God and conformity to the divine will were as basal for the contemporaries of Jesus as for Jesus Himself. Such findings should go a long way toward the rehabilitation of the much-abused Pharisees. Here they are in the presence of a fair-minded judge—or is he sometimes their zealous advocate!

SHIRLEY JACKSON CASE

A Man Without a Country

Denied a Country. By Herman Bang. Alfred A. Knopf. \$2.50.

HERMAN BANG, Danish critic, journalist, novelist, and wanderer, died in America in 1912 while on a reading tour. We can see through his penetrating novel a man brilliant, dissatisfied, ironic, but at times sentimental and arbitrarily obscure.

His chief figure, Joan Ujhazy, is the son of a nobleman whose family for generations had occupied an island in a river that divided several countries. Rumanians, Hungarians, Serbs lived nearby, but the Ujhazy family had no country. Joan's mother was Danish. Bang adroitly establishes his theme by a description of the teasing and maltreatment which Joan under-

goes as a child at the hands of the boys on the mainland. They jeeringly call him "prince of No-Country." The theme is brought in again when he is a student of music in Paris. He becomes a famous violinist and we next see him on a train. In the dining car are members of the European nobility and musical virtuosi, but Joan, the nobleman who happens to be a musician, feels aloof from both groups. In the last and best part of the book he arrives in a Danish frontier town for a concert and meets Gerda Johansen. He is the great and traveled artist, she the bright-eyed, romantic, and mysterious maiden. A new spirit possesses the tale at once; it becomes fresh and young, poetic and lovely. Joan and Gerda walk to the mountain top, they return to a dinner party which is to precede a concert. After the concert the guests return to the Johansen house. The joy given them by Joan's superb playing passes, they bicker among themselves, and the subject of patriotism brings on a harsh argument. Joan is made to feel apart from them, his mother's people. And, as the spirit of the gathering changes, so the romantic mood of Joan and Gerda fades. They cannot reach each other, really, and the end is frustration.

Parts of this novel are finer than the whole. The attack on petty patriotism is intelligent, but the author is so obsessed by his theme that the brooding, the self-pity, and the final collapse of Joan are unconvincing. Joan and Gerda live beautifully for an evening, but we have the feeling that if they could have escaped from their creator they would have given a better account of themselves.

WALTER VOGDES

Builder of the Empire

Francisco de Ibarra and Nueva Vizcaya. By Lloyd Mechem. Duke University Press. \$3.50.

THE sixteenth century in New Spain, or Mexico, was a period of glamorous, reckless empire-building. Beyond the furthest outpost were still new regions to explore, new possibilities of hazardous adventure and quick spoil. The lurid imaginations of the early Spaniards filled the void of their geographical ignorance with legendary treasure cities; and the most vicious frontiersman, often an escaped criminal or one wanted at home for marital support, felt a quickening of religious instincts and a desire to convert the dusky hordes to faith in Nuestra Señora as the hand of the law reached further into the wilderness and the chances for speedy enrichment faded with the coming of royal favorites and more systematic settlers. Yet the spectacular original conquest of Tenochtitlán, the Aztec capital, by Cortés has, perhaps forever, dimmed the lustre of succeeding conquistadores and has cast a shadow over the bold administrative daring of such viceroys as Mendoza and Velasco. Thus the cruelty, greed, and adventurous instability of the Spaniards have stood out in clearer relief than many of their later constructive colonizing efforts. Bourne in his "Spain in America" gave the picture more canvas; but there has always remained, especially in New Spain, a great gap at the end of the sixteenth century and, in spite of Bancroft's wholesale output, much historical ignorance concerning the subduing and colonizing of the northwest. Priestly in his recent volume, "The Mexican Nation," devotes major attention to the colonial period; Bolton has consistently deepened the current of border history. The present volume further illuminates an obscure corner: it is a specialized monograph on the exploration and the establishment of Nueva Vizcaya, that imperial province extending north and west from what is today Zacatecas and Jalisco, a region of almost impassable mountains, of desert and jungle, in many places still as wild and inaccessible as when Francisco de Ibarra first traversed it. Here is the region of Mexico which I myself know most intimately and which I have crossed on a dozen trails.

The author has based his study largely on research in the archives of Seville; he has mulled over an enormous mass of

primary and secondary material. Yet the fact that his is specialized super-accurate historical research bars it as fireside romance of far times and far places. Even so the bare-bone facts add another jewel to the crown of hardy Basque exploration in the New World. Also, as biographical reconstruction the book is not over-convincing; the dramatic possibilities are lost in subsidiary detail and too rigid adherence to the direct documentary material. The author has cut out an impressive geometric solid, but has not breathed the clay of his material into life.

Francisco de Ibarra, who conquered this vast harsh area of Nueva Vizcaya, most of it before he was thirty, at no place strikes the eye warmly as a functioning character. This is in part due to the meagerness of the original previously untitled material and the failure of the author to go imaginatively far enough afield into parallel chronicles for that intimate narrative-stamped portrayal which enlivens certain episodes of the conquest. Mr. Mecham, while deserving unstinted credit for sailing uncharted seas, has vacillated between biography and a study of the adding of a new province to the empire. He tells the story of the second thing creditably if prosaically, because his forte lies in resetting historical bones patiently. If the interested reader will anticipate Mr. Mecham's book by the story of Lumholtz's explorations over much of the same area, he will gain a vivid picture of the region and its inhabitants three centuries after Francisco de Ibarra, a picture rich with concrete detail and intimate reality; and then, from the skeleton of Mr. Mecham's honest facts, he can perhaps recreate emotionally the epic figure who strode across so vast a stage in the twilight of the earlier period.

CARLETON BEALS

Books in Brief

Canada. The Great River, the Lands, and the Men. By Marion I. Newbigin. Harcourt, Brace and Company. \$4.

This interesting book has a too comprehensive title. It is really limited to the history of French Canada down to the British Conquest. The author is interested in geography, as becomes one who is the editor of the *Scottish Geographical Review*, and the really original feature of the book is the relation of the history of Canada to its geography. The author thinks that Frontenac misread geography when he tried to make the trade of the West flow to Montreal and that La Salle was equally mistaken about the possibilities of the Mississippi. Of course, the railway of a later age altered the conditions, but Montreal remains the greatest seaport in North America, after New York, and proposals for deepening canals on the St. Lawrence may well increase its importance. Dr. Newbigin, relying chiefly on Parkman and a few monographs, tells the story of French Canada in a coherent and interesting style; the maps are excellent and original in form, and the photographic illustrations are good.

The Historical Life of Christ. By J. Warschauer. With a Preface by F. C. Burkitt. The Macmillan Company. \$5.

This is a type of "Life of Christ" that has come more and more into vogue during the last quarter-century. The author is a modernist, but not an extremist in his treatment of the New Testament documents. In the main he discards the Gospel of John and reconstructs his story of Jesus's career from the less supernatural features in Matthew, Mark, and Luke. Much is made of Jesus's supposed classification of himself as a Messiah in the so-called "apocalyptic" sense. He believed himself destined in the near future to return to earth in triumph after the pattern of the heavenly deliverer pictured in later Jewish prophecies. In this hope he was, it proved, quite mistaken, yet in pursuing the delusion he displayed a devotion to the divine will and moral sincerity that have since established him as the inaugurator of the true Kingdom of God for his disciples. In

respect to critical method, one must say that our author simply rethreshes old straw, but he wields the flail with fascinating vigor, and one who is not already familiar with this type of book will find it stimulating reading.

The Mystic Rose. By A. E. Crawley. Revised and greatly enlarged by Theodore Besterman. Boni and Liveright. Two volumes. \$10.

The new edition of this well-known classic of anthropology shows enlarged bulk, but it is unfortunate that the quality of the additions made by Mr. Besterman are such as to convince the critical reader that he knows extremely little about the data of ethnology gathered in the twenty-five years since Crawley published the first edition. The "new" references rarely date later than 1905, and the old trick of quoting in full the title of every work each time it is referred to is used to pad the citations and make them impressive. Mr. Besterman adds a few so-called "refutations" to objections made when the first edition appeared, while for the most part the additions themselves take the form of reprints of Crawley's contributions to the periodical literature of anthropology. These too often appear to have been placed in the new edition rather for the sake of having them included than for the purpose of adding anything to the argument in hand. The work itself needs little comment; it is a study of "primitive" sex life and thought in the old evolutionary tradition that has been so thoroughly discredited by modern anthropologists. Its two worst faults are the assumption that primitive and modern thinking processes are essentially different and the dizzying tendency to pull ethnographic facts from their cultural contexts to make a point in the argument.

Economic and Social Conditions in France During the Eighteenth Century. By Henry Sée. Translated from the French by Edwin H. Zeydel. Alfred A. Knopf. \$3.

A distinguished French scholar popularizes the most recent researches on economic and social conditions in France in the Old Regime. Done in the best traditions of French *vulgarisation*—readable, balanced, above all, accurate. Realistic in treatment, with a pronounced leaning toward economic interpretations of social changes. An invaluable handbook for the student. Also an eye-opener for the average reader on this side of the Atlantic, who explains the Revolution through an idealization of his democratic prejudices and the myth of a starving peasantry reading Voltaire and Rousseau and forthwith rushing on against the Bastille.

French Society in the Eighteenth Century. By Louis Ducros. G. P. Putnam's Sons. \$5.

This book possesses unity of plan and execution. The author's open-mindedness and his vast command of the sources compel respect. His picture of the various strata of society can in no instance be called distorted. For all that, it fails in the essential purpose for which it was written. It does not give an imaginative reconstruction of the past. It is difficult to state why. The figures of society move on its pages. Their words are repeated most copiously. Their surroundings are described, their bodies draped, their minds bared. In the process, however, reality dies a thousand deaths.

The Spanish House for America. By Rexford Newcomb. The J. B. Lippincott Company. \$3.50.

A small book packed with interesting material. Its illustrations are remarkably well chosen, and the text is carefully arranged and clear. Whatever one may think of the propriety of such a style revival in modern America, particularly in places where the tradition of Spanish work does not exist, one must welcome works like this which give it background, sanity, and taste.

International Relations Section

Free State and Republican Ireland

By R. M. FOX

Dublin, July 22

TWO big funerals took place in Dublin recently—those of Kevin O'Higgins and the Countess Markievicz. Both were buried in the same week and the death of both had a political significance. It could hardly be otherwise. Kevin O'Higgins was the strong man of the Free State while Countess Markievicz, who was sentenced to death as a leader in the 1916 Irish Rebellion, has ever since taken a prominent part in Republican activities.

The assassination of Kevin O'Higgins was a great shock to everyone for, contrary to popular belief, the Irish do not take assassination as a matter of course. General sympathy was expressed for the widow and there was some foreboding as to the future. But to represent the public as being stricken with grief is quite untrue. In the eyes of the people O'Higgins was responsible for many terrible things, and on occasion was heard to boast of them. When a woman asked about the "75 executions" he leaned forward and said, "Pardon me, madam, 77!" "I am the hero of the Flogging Bill!" I heard him cry at a meeting in O'Connell Street. What has remained in the public memory is the execution of the leaders in the Four Courts' struggle. The four leaders had surrendered and had been in prison for some time. Suddenly they were taken out and shot. Rory O'Connor was the close friend of O'Higgins, who signed his death warrant. When his will was read it was found he had left everything to Kevin O'Higgins.

The newspapers in Dublin and elsewhere stated that there was not a dry eye at the funeral. I was present. It was a military display led by the Free State ministers. Soldiers with bared bayonets marched in columns like an invading army through a conquered city. The rest was made up by policemen, fire-engines, bored-looking civil servants who marched under compulsion, British ex-service men with rows of medals, and a contingent of Italian Fascisti. People stood and gazed with whispered comments. The name of Rory O'Connor was frequently on their lips. I do not say that the people were not reverent. All heads were bared as the coffin went by. It is a pronounced Irish characteristic to respect death. If, at a meeting, a dead man's name is mentioned caps and hats are always raised in memory. Only the well-dressed civilian marchers showed lack of respect. Some were obviously bored and laughed and talked as they straggled along.

The funeral of the Countess Markievicz contained all the elements which the other lacked. It was no cold official ceremony. Dublin rose in its thousands. Dockers who remembered her self-sacrifice in the great lock-out of 1913, marched from work on Friday night to the chapel. Flower girls and street traders gave beautiful wreaths and asked if they might walk in the funeral procession. All through the night on Saturday while the Countess was lying in state, an endless stream of people of all classes filed past the Fianna boys (National Boy Scouts) who formed the guard of honor. On the morrow the people marched. Dublin papers had treated the event as of no account. The news concerning her death was tucked away inconspicuously. But Dublin shook to the tread of thousands of men,

women, and children who marched through the city to Glasnevin. Everyone in the procession came voluntarily. And there was no laughing, talking, or falling out of step. One young man after marching nearly two hours in the scorching sun lit a cigarette surreptitiously behind his hand. There was a roar from the ranks: "Put the cigarette out!"

The Free State which refused the use of the Mansion House for the lying in state of a 1916 leader (whose work made the Free State possible) sent lorry loads of soldiers and police to the cemetery to hamper the proceedings as much as they could. They failed. A more generous body of men would have given the Mansion House and taken part in the ceremony. Even from the lowest tactical motive it would have been wise to have annexed some of the 1916 tradition for the new state. Instead they emphasized the breach and put another barrier between themselves and nationalist Ireland. Contrast this with the generous message of sympathy immediately issued on the death of Kevin O'Higgins by De Valera, the Republican leader.

The contrast of the funerals throws a withering light on the position of the Free State Government in Ireland. At the very time when Dublin papers were doing their best to hide the intensity of Irish feeling, an English newspaper in pursuit of Irish readers brought out a striking article on the career of the Countess. The funeral was featured in English newspapers while Dublin papers published good results!

It is time the world faced the truth about Ireland. The recent elections should have made it plain. Republicans secured 51 seats as against the Government's 47 and this in spite of the fact that electors knew from experience that their representatives would be barred out. Does that mean that the Anglo-Irish treaty must go? The Irish alone can decide this. But it does mean that further concession must be made to Irish national feeling. When I first went to Ireland—at the time of the 1922 truce—I met many leaders on both sides, some of whom have since been killed in the fighting. Discussing the question with them the conclusion I came to was that the dry bones of logic were not enough. The treaty I believed would have to be given an Irish interpretation if it was to be worked at all. Logically it may give Ireland power to work out her economic and political salvation. But we have to consider logic as tempered by tradition. The upholders of the treaty are being more and more forced into the position of enemies of the Irish tradition. They are relying to an increasing extent upon the bitter ex-Unionist element. But they cannot build on that. To placate Irish feeling they have declared for compulsory Irish in the schools. This makes the ex-Unionists furious because they know that a separate language means a separate nationality. The Free State is in a dilemma because it is breeding Republicans to effect its undoing. Yet while national sentiment grows under its rule, it sets itself to repress adult expression of this sentiment. At elections, Ministers take with them a horde of "stewards" whose duty it is to throw out questioners. In the last election at a meeting in Rathmines Town Hall, a woman who asked a question was so severely handled that a few days later she wrote from a hospital where she had recovered consciousness, protesting against her treatment.

Raids are frequent. Not long ago I was staying at Washington Lodge, Rathfarnham, near Dublin. A Republican

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can family lives here and it was a common thing for a lorry to rumble up in the middle of the night while with a great racket seven or eight men would rush in, carrying revolvers and electric torches. These raids took place for the most trivial reasons.

For example, one night it was alleged that Mr. Cosgrave's mother's windows had been broken, so a young man of the Republican family was arrested and taken to the police barracks for about an hour. Although I had taken no part in Irish politics my room was invaded without ceremony. I sat up in bed and interviewed the raiders in the dark. No warrants were produced; papers, letters, and belongings were tossed about and the raiders went without any apology. After the shooting of Kevin O'Higgins two young men of the family were arrested and charged with others for conspiracy to murder. They have been remanded twice without any evidence. The charge is absurd and no one believes it. The parish priest, not a Republican, has testified to seeing them at church the morning of the murder and the whole village is indignant. Republicans have always accepted responsibility for their activities and they repudiate any connection with the crime. On July 21, a public meeting called to protest against these imprisonments was proclaimed. Hundreds of police were scattered in groups along O'Connell Street and to reinforce them, several lorry loads of burly men in plain clothes stood by the roadside. This policy of irritation and suppression pursued by the Government indicates weakness and complete lack of confidence in the people.

On certain "neutral" measures like the Shannon electricity scheme, the grading of dairy produce, improved cattle breeding, and general industrial efficiency, where national tradition is not directly involved, the Government has done good work, though even here it has set itself to reduce wage standards. Besides this it has replaced many elected local bodies by paid commissioners who also carry out the policy of low wages and scanty relief rates. This is in line with the Government policy of reducing Old Age Pensions by a shilling and cutting down unemployment and sickness insurance benefits.

It is hard to prophecy as to the future. I have heard it said that there is no treaty party in Ireland: only one party opposed to the treaty and another that has betrayed it! However this may be, the point on which national sentiment is now focussed is the removal of the oath of allegiance. The feeling of the country is clear on this. Only the Government nominees and a few Independents stand firm for the oath. The Labor Party (22) has opposed it. The National League and the Farmers' Party are lukewarm. But the Government, though in a hopeless minority on the question, declines to remove it. They have even introduced a bill abolishing the provision in the constitution for a referendum in order to checkmate the growing agitation against the oath. They have succeeded in getting through a bill which declares that no one may stand for election unless he declares his willingness to take the oath beforehand.

The Government is getting more and more out of sympathy with the strong national tradition. They dance on the razor edge between ex-Unionists and Nationalists and when their toes get sore they vent their spite on opponents by repressive acts. The sensible thing would be to make such concessions as would placate national feeling and enable Ireland to develop on national lines.

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